

SENATE BILL 331

By Lundberg

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 13, Part 6, relative to unlawful
photography.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-605, is amended by deleting subsections (a) and (b) and substituting:

(a) It is an offense for a person to knowingly photograph, or cause to be photographed, an individual without the prior effective consent of the individual, or in the case of a minor, without the prior effective consent of the minor's parent or guardian, if the photograph:

(1)

(A) Would offend or embarrass an ordinary person if the person appeared in the photograph; or

(B) Is focused on the intimate area of the individual and would be considered offensive or embarrassing by the individual; and

(2) Was taken for the purpose of sexual arousal or gratification of the defendant.

(b) As used in this section:

(1) "Photograph" means any photograph or photographic reproduction, whether taken using digital media or conventional film, still or moving, or any videotape, live television transmission, or social media broadcast of any individual; and

(2) "Intimate area" means the naked or clothed genitals, pubic area, anus, buttocks, or female breast of a person.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.